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May 1, 2023

**VIA ECF**

The Honorable Sanket J. Bulsara  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: P.D. v. Neifeld, et al., 21-cv-06787 (CBA) (SJB)

Dear Judge Bulsara:

We represent Plaintiff in the above-referenced matter and, together with Defendants Kerri Neifeld, the Acting Commissioner of the New York State Office for People with Developmental Disabilities (“OPWDD”) and Mary Bassett, the Commissioner of the New York State Department of Health, jointly request an adjournment of the parties’ status conference currently scheduled for May 2, 2023 for 90 days or such time that is convenient for the Court and a corresponding extension of all discovery deadlines by 90 days. The parties further request that their deadline for filing pre-motion letters in anticipation of summary judgment continue to be stayed until thirty days after the completion of all discovery.

As the Court is aware, the primary goal of Plaintiff’s lawsuit was to secure a permanent community placement for Plaintiff P.D., and that goal has now been achieved. The parties are pleased to report that P.D. was transferred on April 27, 2023 to a new Individual Residential Alternative (“IRA”) within the community established by a private agency known as AHRC, with OPWDD-funded supports. This is a very positive development. The parties request an adjournment of the existing deadlines and status conference to provide additional time for P.D. to become acclimated to his new IRA residence and to give the parties an opportunity to resolve the issues raised in the litigation beyond P.D.’s placement in the community.

We appreciate the Court’s attention to this matter.

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Respectfully submitted,

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